



~Planning Commission~

City of Burien Shoreline Master Program Update

Critical Areas and Shorelines

March 23, 2010

Small Wetlands

- Comment #16
 - Small wetlands (Category III less than 1,000 s.f.) excluded from protection in CAO and therefore excluded from protection in SMP
- Recommendation from DOE:
 - SMP 20.30.025 will contain new regulation as follows:
 - The following types of *wetlands* are regulated by the City of Burien SMP:
 - a. Category 3 *wetlands* less than 1,000 square feet and hydrologically isolated; or
 - b. Man-made ponds smaller than one acre and excavated from uplands without a surface water connection to *streams*, lakes, rivers, or other *wetlands*.

20.30.025 Critical Areas

- Comment 65 A:
 - Lake Burien Is Categorized as Category 2 in one place and Category 4 in another place.
- Response:
 - Inconsistency dates back to the CAO adopted in 2003
 - CAO Map shows Lake Burien as Category 2 Wetland
 - CAO Regulations 19.40.070 identifies Lake Burien as Category 4 Wetland.

Implications for SMP

- Inventory looked at Map (Type 2 wetland)
- Regulation Drafting looked at CAO Regulations (Type 4 wetland)
- Result = Inconsistency
- Implications:
 - Different Buffer Standards (as found in existing CAO)
 - If Category 2 Wetland – Buffer is 100 Ft.
 - If Category 4 Wetland – Buffer is 30 Ft.

Solution to Inconsistency

- Recommendation from DOE
 - CAO – City will address issue during state mandated update of the Critical Area Ordinance as part of GMA update cycle.
 - SMP Inventory – Add addendum or Errata that explains the inconsistency
 - SMP Regulations – Wetland Ratings for Lake Burien will not be called out in SMP Regulations

Wetland Rating Issue

- Comment #17:
 - Wetland Rating System should be Washington State Wetland Rating System for Western Washington – Revised.
- Response:
 - CAO for Burien Adopted in 2003
 - At that time City used Ecology Wetland Rating System, 96-94
 - Since then, Ecology has updated and revised their rating system

Wetland Rating Issue (Cont.)

- Response:
 - Burien SMP drafted relying on Burien CAO
 - For purposes of wetland ratings, SMP can be changed to address this issue
 - Consulted with DOE on best way to do this

Wetland Rating Issue (Cont.)

- Recommendation from DOE:
 - SMP 20.30.025 (2) (a) Edit as follow:
 - Wetland Delineation:
 - Wetlands are those areas in the City of Burien, designated in accordance with the Washington State Wetland Identification and Delineation Manual, as required by RCW 36.70A.175 (Ecology Publication #96-94).
 - Wetland Ratings:
 - Wetlands for the purposes of the Burien SMP will be categorized in accordance with the Washington State Wetland Rating System for Western Washington – Revised (Ecology Publication #04-06-025).

Wetland Rating Issue (Cont.)

- Recommendation from DOE:
 - SMP 20.30.025 (2) (a) Edit as follows:
 - Wetland Buffers:
 - Adopt Appendix 8-C by reference and have it as an appendix to the SMP.
 - Buffers to be determined on a case by case basis after being delineated and rated as defined above.
 - Add to SMP 20.40: Wetland Definition:
 - Reference RCW 90.58.030 (2) (h).
 - Wetlands Definition used for Shoreline Management Act

Wetland Buffer Widths—Appendix 8-C

- Based on revised rating system and critical area study, case by case
- Buffer widths applied to Lake Burien:
 - Current CAO: 30' to 100' (Type 4 or Type 2)
 - Revised rating: 50' to 150' (Type 4 or Type 3)
- Flexibility in buffer widths (revised rating):
 - Based in intensity of impacts, wetland functions or special characteristics: 50' to 80'
 - Based on reducing intensity of impacts: 40' to 60'
 - Flexibility in upland expansion of non-conformance
 - Buffer averaging (narrowest point is not $< \frac{3}{4}$ width)



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